

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PATTI J. THOMPSON,)
Plaintiff,) 2:07cv1345
v.) Electronic Filing
MICHAEL J. ASTRUE,)
Commissioner of Social)
Security,)
Defendant.)
) Judge Cercone
) Magistrate Judge Caiazza

MEMORANDUM ORDER

On January 2, 2008, consistent with the Plaintiff's response to the court Order regarding the Parties' Willingness to proceed before a Magistrate Judge (see Docs. 3 & 6), this case was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On May 21, 2008, the magistrate judge issued a Report (Doc. 13) recommending that the District Court grant the Plaintiff's Motion for Summary Judgment (Doc. 8), deny the Defendant's Motion for Summary Judgment (Doc. 10), and remand this case for further administrative proceedings.

Service of the Report and Recommendation was made on the parties, and no objections have been filed. After a review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, on this 16th day of June, 2008,

IT IS ORDERED that the Plaintiff's Motion for Summary Judgment
(Doc. 8) is **GRANTED**, the Defendant's Motion for Summary Judgment
(Doc. 10) is **DENIED**, and this case is **REMANDED FORTHWITH** to the
Commissioner of Social Security for further administrative
proceedings as consistent with the magistrate judge's Report and
Recommendation.

The Report and Recommendation of Magistrate Judge Caiazza
dated May 21, 2008 is hereby adopted as the Opinion of the
District Court.

DS Cercone

David Stewart Cercone
United States District Judge

cc (via email):

Christine M. Nebel, Esq.
Jessica Smolar, Esq.